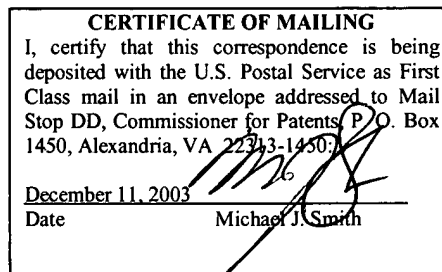


Michael J. Smith
Direct Dial 512/542-8530
Direct Fax 512/236-3330
mjsmith@velaw.com

December 11, 2003



MAIL STOP DD

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/031,922 entitled "Preserved Pharmaceutical Formulations" by Atef Gayed (Atty. Docket No. MAR618/4-006(A)US/75000)

Sir:

Enclosed for filing in the above-referenced patent application is:

1. Supplemental Information Disclosure Statement;
2. PTO Form 1449 (References B1-B2, C1-C2, and D1-D10);
3. Credit Card Payment Form (\$180.00); and
4. A return postcard to acknowledge receipt of these documents. Please date stamp and mail this postcard.

Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Assistant Commissioner is hereby authorized to deduct said fees from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/MAR618/4-006(A)US/75000.

Respectfully submitted,

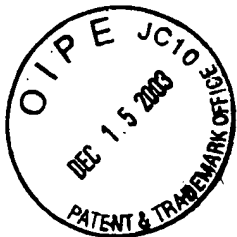
Michael J. Smith
Reg. No. 51,381

102061:3058

Enclosures

cc: Joseph L. Kirk (w/o encls.)
Marya Breig, Docket Specialist (w/o encls.)

401403_1.DOC



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Atef Gayed

Serial No.: 10/031,922

Filed: May 13, 2002

For: PRESERVED PHARMACEUTICAL
FORMULATIONS

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: MAR618/4-006(A)US

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below:

December 11, 2003
Date

Michael J. Smith
Michael J. Smith

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP DD

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 (References B1-B2, C1-C2, and D1-D10) be considered by the Examiner and made of record. A copy of References B1 and B2 as required by 37 C.F.R. § 1.98(a)(2) are enclosed for the Examiner's review. Copies of references C1-C2 are not enclosed as they indicate a related U.S. patent application and an international search report.

12/16/2003 ZJU HAR1 00000077 10031922

01 FC:1806

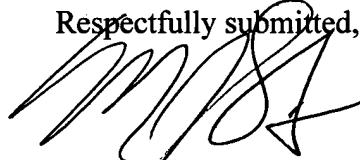
180.00 OP

Also, copies of references D1-D10 are not enclosed as they were previously submitted in U.S. Serial No. 10/031,947 filed May 15, 2002.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a Final Office Action or Notice of Allowance, and after the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(c). The appropriate fee under 37 C.F.R. §1.17(p) of \$180.00 is enclosed. No additional fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Vinson & Elkins L.L.P. Deposit Account No. 22-0365/MAR618/4-006(A)US/75000.

Respectfully submitted,



Michael J. Smith
Reg. No. 51,381
Attorney for Applicant

Vinson & Elkins L.L.P.
2300 First City Tower
1001 Fannin Street
Houston, Texas 77002-6760
512/542-8530

Date: December 11, 2003

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INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional)		Application Number	
				MAR618/4-006(A)US		10/031,922	
				Applicant(s)			
				Atef Gayed			
				Filing Date		Group Art Unit	
				May 13, 2002		1645	

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 U.S. PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation		
						YES	NO	
B1	01/07075	02/01/01	WO	38	18			
B2	01/07086	02/01/01	WO	47	18			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)	
C1	U.S. Patent Application Serial No. 10/031,947 entitled "Multi-Dose Erythropoietin Formulations" by Atef Gayed filed May 15, 2002.
C2	International Search Report dated November 10, 2000.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional)		Application Number	
				MAR618/4-006(A)US		10/031,922	
				Applicant(s)			
				Atef Gayed			
				Filing Date		Group Art Unit	
				May 13, 2002		1645	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	D1	4,377,573		Sugimoto, et al.			
	D2	4,703,008		Lin			
	D3	5,045,529	09/03/91	Chiang			
	D4	5,503,827	04/02/96	Woog, et al.			

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	D5	0 199 992	11/05/86	EP	37	02		
	D6	0 459 795	05/30/91	EP	37	02		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	D7	Miyake, et al., "Purification of Human Erythropoietin," <i>J. Biol. Chem.</i> , 252(15):5558-67 (1997).
	D8	Sherwood, et al., "Erythropoietin Production by Human Renal Carcinoma Cells in Culture," <i>Endocrinology</i> , 99(2):504-10 (1976).
	D9	Sherwood, et al., "Establishment of a Human Erythropoietin-Producing Renal Carcinoma Cell Line," <i>Clinical Research</i> , 31:323A (1983).
	D10	Durieux, Marcel E., M.D., "Synergistic Inhibition of Muscarinic Signaling by Ketamine Stereoisomers and the Preservative Benzethonium Chloride," <i>Anesthesiology</i> 86:1326-33 (1997)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.